



Crl.O.P.No.17018 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.17018 of 2023

Ramesh

...Petitioner

Vs.

State represented by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
Crime No.335 of 2017.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in S.C.No.97 of 2019 in Crime No.335 of 2017 pending investigation on the file of the Assistant Sessions Judge, Dharapuram.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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Crl.O.P.No.17018 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.04.2023 for the offences punishable under Sections 394, 397 of IPC pending in S.C.No.97 of 2019 on the file of the Assistant Sessions Judge, Dharapuram in connection with Crime No.335 of 2017, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in S.C.No.97 of 2019. Because of petitioner's absconding, Non-Bailable Warrant was issued on 26.07.2022 and the same was executed on 25.04.2023, through PT warrant. Petitioner is in judicial custody on 25.04.2023. He further submitted that, petitioner would be very regular hereafter and thus, he seeks bail to the petitioner.

3. In response, the learned Additional Public Prosecutor submitted that, petitioner is involved in 14 cases. Out of 14 cases, 8 cases had been disposed, 3 cases are not taken on file and 2 cases are pending for trial and one case is pending investigation.



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Crl.O.P.No.17018 of 2023

4. Considering the facts and circumstances in which the Non-Bailable Warrant was issued against the petitioner and subsequently remanded to Judicial Custody on 25.04.2023 and also having regard to the submission of the learned counsel for the petitioner that the petitioner would regularly appear before the Court hereafter, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Dharapuram** and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the **learned Assistant Sessions Judge, Dharapuram, on all working day until further orders and on all hearing**



CrI.O.P.No.17018 of 2023

dates without fail;

[c] the petitioner shall not abscond either during investigation or trial.

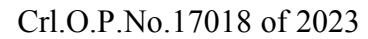
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

01.08.2023

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5. The Public Prosecutor, High Court of Madras

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https://www.mhc.tn.gov.in/judis



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CrI.O.P.No.17018 of 2023

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CrI.O.P.No.17018 of 2023

01.08.2023